

SEP 30 4 46 PM '96 ml

BK 307 PG 77
W.E. DAVIS CH. CLK.

BEN H. SPIVA, ET UX, GRANTOR

TO

ASSUMPTION WARRANTY DEED

DON C. PROFFITT, ET UX, GRANTEE

FOR AND IN CONSIDERATION of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable legal consideration, including the assumption of the indebtedness described below, the receipt and sufficiency of which is hereby acknowledged, the Grantors, BEN H. SPIVA and Wife, PATRICIA A. SPIVA, hereby sells, conveys, and warrants unto the Grantee, DON C. PROFFITT and Wife, CARLA D. PROFFITT, as tenants by the entirety with full rights of survivorship and not as tenants in common, the land in DeSoto County, Mississippi, being more particularly described as follows:

Lot 388, Section A, Lake O'The Hills Subdivision, Section 20, Township 3 South, Range 9 West, in DeSoto County, Mississippi as shown on plat of record in Plat Book 2, Pages 29-33, in the Office of the Chancery Clerk of DeSoto County, Mississippi, to which plat reference is made for a more particular description of said lot.

This conveyance is made subject to an indebtedness to JIM WALTERS HOMES, INC., secured by a deed of trust recorded in Trust Deed Book 338 at Page 723, and subsequently assigned to FIRST UNION NATIONAL BANK OF FLORIDA, by Assignment recorded in Trust Deed Book 641, Page 726, both in the Office of the Chancery Clerk of DeSoto County, Mississippi, and by acceptance of this Deed, the Grantee assumes the balance of said indebtedness.

By acceptance of this Deed, the parties agree that this conveyance is made subject to subdivision, health department, zoning and other regulations in effect in DeSoto County, Mississippi; restrictive covenants of the subdivision; and rights of way and easements for public roads, flowage, and utilities. Taxes for 1996, shall be estimated and prorated at closing and paid by the Grantee when due with any final

adjustment in proration to be made between Grantor and Grantee when the actual ad-valorem tax bill is rendered. Possession is to be given upon delivery of this Deed.

EXECUTED this the 30th day of September, 1996.

BEN H. SPIVA
BEN H. SPIVA
PATRICIA A. SPIVA
PATRICIA A. SPIVA
GRANTORS

STATE OF MISSISSIPPI
COUNTY OF DeSOTO

This day personally appeared before me, the undersigned authority in and for said County and State, the within named BEN H. SPIVA and Wife, PATRICIA A. SPIVA, who acknowledged signing and delivering the above and foregoing Warranty Deed on the day and year therein mentioned as a free and voluntary act and deed and for the purposes therein expressed.

GIVEN under my hand and official seal of office this the 30th day of September,

May W. [Signature]
NOTARY PUBLIC

MY COMMISSION EXPIRES:

GRANTOR'S ADDRESS: 365 Baldwin Road N., Lake Cormorant, MS 38641

Home #: (601) 429-2509 Bus #: (901) 1-888-361 1287

GRANTEE'S ADDRESS: 10826 Lochmond, Hernando, MS 38632

Home #: (601) 429-2623 Bus #: (800) 456-0711 ext. 41715

Prepared by:
Walker, Brown & Brown, P. A.
P. O. Box 276
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(601) 429-5277
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